

11/15/01
1129 U.S. PTO

Patent
Attorney's Docket No. 032775-078

1C971 U.S. PTO
09/987687
11/15/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY PATENT
APPLICATION TRANSMITTAL LETTER

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed for filing is the utility patent application of Matthew C. Coffey and Bradley G. Thompson for Method for Optimally Delivering Virus to a Solid Tumor Mass.

Applicant(s) hereby request(s) that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Applicant(s) suggest(s) Figure _ for inclusion on the front page of the patent application publication and patent.

Also enclosed are:

Three sheet(s) of drawing(s);

a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is hereby made to _ filed in _ on _;

in the declaration;

a certified copy of the priority document;

a General Authorization for Petitions for Extensions of Time and Payment of Fees;

an Assignment document;

an Information Disclosure Statement;

a patent application data sheet; and

Other: return receipt postcard

An executed unexecuted declaration of the inventor(s)
 also is enclosed will follow.

Please amend the specification by inserting before the first line the sentence --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to _ filed in _ on _; the entire content of which is hereby incorporated by reference.--



21839

(10 01)

Utility Patent Application Transmittal Letter
Attorney's Docket No. 032775-078
Page 2

[] Please amend the specification by inserting before the first line the sentence:

--This application is a continuation of International Application No. filed on , which International Application [] was [] was not published by the International Bureau in English on .--

[] Small entity status is hereby claimed.

[x] The filing fee has been calculated as follows [] and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$740.00 (101)
Total Claims	21	MINUS 20 =	1	× \$18.00 (103) =	18.00
Independent Claims	1	MINUS 3 =		× \$84.00 (102) =	0.00
If multiple dependent claims are presented, add \$280.00 (104)					
Total Application Fee					
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee \$40.00 (581) if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					758.00

[x] This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.

[] Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.

Please address all correspondence concerning the present application to:

Gerald F. Swiss
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 15, 2001

By: 
Ping F. Hwang
Registration No. 44,164

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(Includes Reference to Provisional and PCT International Applications)**

Attorney's Docket No.
032775-078

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR OPTIMALLY DELIVERING VIRUS TO A SOLID TUMOR MASS

the specification of which (check only one item below):

is attached hereto.

was filed as United States application

Number _____

on _____

and was amended _____

on _____ (if applicable).

was filed as PCT international application

Number _____

on _____

and was amended _____

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. §119
			<u> </u> Yes <u> </u> No
			<u> </u> Yes <u> </u> No
			<u> </u> Yes <u> </u> No
			<u> </u> Yes <u> </u> No
			<u> </u> Yes <u> </u> No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

60/252,221

(Application Number)

November 20, 2000

(Filing Date)

(Application Number)

(Filing Date)

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)
 (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.
 032775-078

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

U.S. APPLICATIONS		STATUS (<i>check one</i>)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)		

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)
 (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.
 032775-078

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Eric H. Weisblatt	30,505	Bruce T. Wieder	33,815
Robert S. Swecker	19,885	James W. Peterson	26,057	Todd R. Walters	34,040
Platon N. Mandros	22,124	Teresa Stanek Rea	30,427	Ronni S. Jillions	31,979
Benton S. Duffett, Jr.	22,030	Robert E. Krebs	25,885	Harold R. Brown III	36,341
Norman H. Stepno	22,716	William C. Rowland	30,888	Allen R. Baum	36,086
Ronald L. Grudziecki	24,970	T. Gene Dillahunt	25,423	Brian P. O'Shaughnessy	32,747
Frederick G. Michaud, Jr.	26,003	Patrick C. Kean	32,858	Kenneth B. Leffler	36,075
Alan E. Kopecki	25,813	B. Jefferson Boggs, Jr.	32,344	Fred W. Hathaway	32,236
Regis E. Slutter	26,999	William H. Benz	25,952	Wendi L. Weinstein	34,456
Samuel C. Miller, III	27,360	Peter K. Skiff	31,917	Mary Ann Dillahunt	34,576
Robert G. Mukai	28,531	Richard J. McGrath	29,195		
George A. Hovanec, Jr.	28,223	Matthew L. Schneider	32,814		
James A. LaBarre	28,632	Michael G. Savage	32,596		
E. Joseph Gess	28,510	Gerald F. Swiss	30,113		
R. Danny Huntington	27,903	Charles F. Wieland III	33,096		



21839

and: Ping F. Hwung (Reg. No. 44,164)

Address all correspondence to:



21839

Gerald F. Swiss
 BURNS, DOANE, SWECKER & MATHIS, L.L.P.
 P.O. Box 1404
 Alexandria, Virginia 22313-1404

Address all telephone calls to: Ping F. Hwung at (650) 622-2300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Matthew C. Coffey	SIGNATURE	DATE
RESIDENCE 2231 Bowness Road, N.W. CALGARY, ALBERTA, T2N 3L4, CANADA	CITIZENSHIP Canada	
POST OFFICE ADDRESS 2231 Bowness Road, N.W. CALGARY, ALBERTA, T2N 3L4, CANADA		
FULL NAME OF SECOND INVENTOR Bradley G. Thompson	SIGNATURE	DATE
RESIDENCE 1775 7 th Ave., N.W., CLAGARY, ALBERTA, T2N 0Z5, CANADA	CITIZENSHIP Canada	
POST OFFICE ADDRESS 1775 7 th Ave., N.W., CLAGARY, ALBERTA, T2N 0Z5, CANADA		